IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH,

AT HYDERABAD

HON'BLE SRI JUSTICE V.V.S. RAO

W.P. No. 4077 OF 2000

Date: 03.11.2005

BETWEEN:

M/s. Goldstone Engineering Limited

…. PETITIONER

And

1. Government of Andhra Pradesh, rep. by its Secretary, Revenue Department, Hyderabad, and others.

…. RESPONDENTS

HONOURABLE SRI JUSTICE V.V.S. RAO

WRIT PETITION No. 4077 OF 2000

ORDER:

The Government of A.P. issued orders in G.O.Ms.No.436 Revenue (UC-III) Department, dated 23.4.1986 insofar as granting of exemption to the urban land, which is allotted/alienated by Andhra Pradesh Industrial Infrastructure Corporation Limited (APIIC) to industrial entrepreneurs. By the said Government Order the Managing Director is required to send a copy of the allotment order together with a copy of the lease cum sale deed to the Government for granting of exemption under Section 20(1)(a) of the Urban Land (Ceiling and Regulation) Act, 1976 (for short 'the Act'). The petitioner herein is a company incorporated under the Companies Act. The Company purchased 31319.948 Sq. yards of land in plot Nos.1 and 9 of Industrial Development Area, Phase-II, Cherlapalli, in S.Nos.249 (part) 250 (part) and 251 (part). In this writ petition it seeks declaration that the action of the respondents, namely, the Government of Andhra Pradesh in not granting any exemption in terms of G.O.Ms.No.436 dated 23.4.1986 is illegal and arbitrary.

This Court heard the learned counsel for the petitioner, learned Standing Counsel for APIIC as well as the Assistant Government Pleader for Revenue (assignment). It is agreed by all the counsel that even if the land allotted/alienated by APIIC is entitled for exemption under Section 20(1)(a) of the Act, a formal application has to be made by the allottee or the subsequent purchaser. Therefore, liberty is given to the petitioner to make an application to the Managing Director of APIIC, which shall be processed in accordance with G.O.Ms.No.436, dated 23.4.1986 and forwarded to the Government of A.P. in Revenue Department.

The Writ Petition is accordingly disposed of. No costs.

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(**V.V.S. RAO, J.**)

3rd November, 2005

Js.